

The Solicitors' Journal

INDEX AND STATUTES

VOLUME 105

JANUARY to JUNE, 1961

The Law and The Letter

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The following abbreviations are used in the General Index: A. (Articles not otherwise classified); C.C.L. (County Court Letter); Corres. (Correspondence); F. (Family Law); L.T. (Landlord and Tenant Notebook); M. (Miscellaneous); P.N. (Practice Notes); P.P. (Property Practice); T. (Current Topics).

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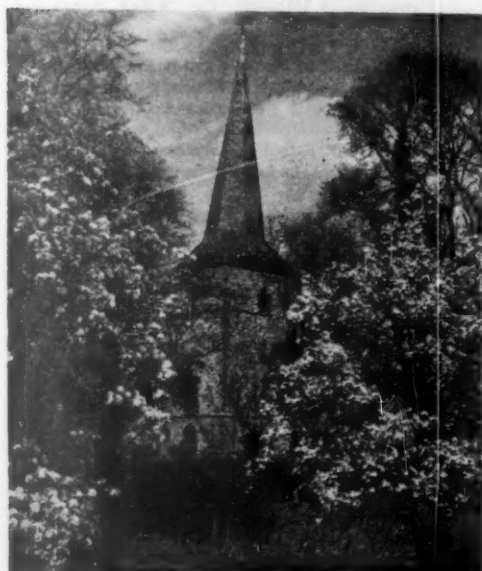
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Vacation: application for injunction: time factor [Coronet, Ltd. v. J. J. Silber, Ltd. (Ch. D.)], 492.

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- Income tax: excess rents: royalties of sand pit: assessment: actual or notional receipts [Verdin v. Coughtrie (H.L.)], 176.
- Income tax: expenses: bank manager: club subscriptions [Brown v. Bullock (Inspector of Taxes) (Ch. D.)], 63.
- Income tax: General Commissioners: use of "specialised knowledge" of: local knowledge of economic conditions: whether company an investment company or trading in property [Forest Side Properties (Chingford), Ltd. v. Inland Revenue Commissioners (C.A.)], 550.
- Income tax: profits of profession: actor: sale by actor of film rights in novel [Shiner v. Lindblom (Inspector of Taxes) (Ch. D.)], 128.
- Income tax: profits of trade: dividends: exclusion: capital profits dividend: dealer in stocks and shares: whether dividend taxable as profits [Cenlon Finance Co., Ltd. v. Ellwood (Inspector of Taxes); Ellwood (Inspector of Taxes) v. Cenlon Finance Co., Ltd. (C.A.)], 422.
- Income tax: settlement: trust for accumulation during life of settlor: contingent interest of settlor's wife: whether statutory power of advancement applicable: whether income to be treated as income of settlor [Inland Revenue Commissioners v. Bernstein (C.A.)], 128.
- Income tax: share-dealing transactions: "trade": whether dividend-stripping operation part of "trade" for purpose of setting loss against dividend [J. P. Harrison (Watford), Ltd. v. Griffiths (Inspector of Taxes) (C.A.)], 425.
- Income tax: succession to trade of subsidiary: whether subsidiary's trade "permanently discontinued" [Aviation and Shipping Co., Ltd. v. Murray (Inspector of Taxes) (Ch. D., C.A.)], 88, 441.
- Income tax: work in progress: method of valuation: whether "on cost" or "direct cost" method to be applied [Ostime (Inspector of Taxes) v. Duple Motor Bodies, Ltd.; Inland Revenue Commissioners v. Same (H.L.)], 346.
- Profits tax: nationalised industry: compensation: parent company and subsidiary: subsidiary remaining in being solely to receive compensation: dividends received by parent company not "franked investment income" [Henry Briggs, Son & Co., Ltd. v. Inland Revenue Commissioners (H.L.)], 61.
- Stamp duty: conveyance or transfer on sale: amalgamation: conveyance executed as part of scheme for amalgamation of companies: agreement for sale of shares [Henty & Constable (Brewers), Ltd. v. Inland Revenue Commissioners (Ch. D.)], 466.
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- Surtax: company: "member" of company: meaning: whether debenture stockholders have an "interest" in company [Inland Revenue Commissioners v. R. Woolf & Co. (Rubber), Ltd. (Ch. D., C.A.)], 109, 441.

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- Dangerous driving: evidence of drink taken: admissibility: relevance to charge: discretion of judge [R. v. McBride (Cr. A.)], 572.
- Dangerous driving: mechanical defect: nature of defence: onus of proof [R. v. Spurge (Cr. A.)], 469.

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- Licence: goods vehicle: haulage: traction vehicle drawing trailer loaded with felled timber: "constructed and used... for haulage solely" [T. K. Worgan & Son, Ltd. v. Gloucestershire County Council (C.A.)], 403.
- Licence: goods vehicle: motor car fitted with rails for carrying dresses: whether "adapted for use" for conveyance of goods [Taylor v. Mead (Q.B.D.)], 159.
- Licence: "mechanically propelled vehicle": motor car from which engine removed [Newberry v. Simmonds (Q.B.D.)], 324.
- Maintenance of vehicle: motor-lorry towing trailer: faulty coupling: accident caused through trailer becoming disengaged: whether breach of obligation to maintain [O'Neill v. Brown (Q.B.D.)], 208.
- "Motor vehicle": "intended or adapted for use on roads": dumper: use on road forming part of housing estate in course of construction [Daley v. Hargreaves (Q.B.D.)], 111.
- Negligence: collision: duty of driver on approaching crossing [Williams v. Fullerton (C.A.)], 280.
- Negligence: collision: passenger's duty of care: plaintiff passenger in motor cycle combination aware that motor cycle unlighted [Dawrant v. Nutt (Q.B.D.)], 129.
- Notice of intended prosecution: service: driver not served: no evidence whether registered owner served: burden of proof [Sanders v. Scott (Q.B.D.)], 383.
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- Bill of lading: seaworthiness: damage to cargo due to defective storm valves: negligence of workman of independent contractor: whether shipowner liable for lack of due diligence [Riverstone Meat Co. Pty., Ltd. v. Lancashire Shipping Co., Ltd. (H.L.)], 148.
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- Charterparty: demurrage: exceptions clause: "obstructions": meaning: congestion of traffic [N. V. Reederij Amsterdam v. President of India (C.A.)], 510.
- Charterparty: demurrage: exceptions clause: strike at nominated port [Reardon Smith Line, Ltd. v. Ministry of Agriculture, Fisheries and Food (C.A.)], 567.
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- Collision: damages: measure: damages for loss of profits [Four of Hearts v. Fortunity; The Fortunity (P.D.A.)], 159.
- Collision: damages for detention: damaged ship owned by public authority [Lord Citrine (Owners) v. Hebridean Coast (Owners) (H.L.)], 37.
- Collision: damages for detention: loss of profits: whether claimable in addition: repairs to vessel recommended to be effected by next special survey: repairs executed earlier at expensive port at time involving inevitable delay [The Pacific Concord (P.D.A.)], 492.
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- Costs: taxation: bill: payment of bill: application by client for reference to taxing master for taxation: summons heard more than twelve months after bill paid: jurisdiction: inherent jurisdiction of court [In re A Solicitor (Ch. D.)], 347.

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- Act in furtherance of: procuring breach of contract: unlawful conspiracy: resignation of plaintiff from union: threats by union members to strike in breach of contract: whether unlawful act [Rookes v. Barnard (Q.B.D.)], 530.

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- False trade description: "possession for sale": frozen chickens weighing less than marked weight: stored in cold store: available to owners on demand: whether in owners' possession [Towers & Co., Ltd. v. Gray (Q.B.D.)], 235.

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Howe v. Lord Dartmouth, rule in: trust for conversion with power to postpone: hotel business carried on by trustees until sale: unauthorised investment: whether life tenant entitled to profits of business [*In re Berry* (Ch. D.)], 256.

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Power of advancement: exercise: statutory power: power to convey land [*In re Collard's Will Trusts* (Ch. D.)], 208.

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Prostitution: knowingly living on earnings of: publishing advertisements for prostitutes [*Shaw v. Director of Public Prosecutions* (H.L.)], 421.

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Name and arms clause: validity [*In re Howard's Will Trusts* (Ch. D.)], 347.

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STATUTES

ENACTED IN PARLIAMENT, 1961 (JANUARY TO JUNE)

9 & 10 Eliz. 2

CHAPTER 7

CONSOLIDATED FUND ACT, 1961

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and sixty-one. [2nd March, 1961.]

CHAPTER 8

ELECTRICITY (AMENDMENT) ACT, 1961

An Act to empower the Central Electricity Generating Board to produce radioactive material in a nuclear reactor at any of the Board's generating stations for sale or supply to other persons, and to sell or supply radioactive material produced in any such reactor; and for purposes connected therewith. [2nd March, 1961.]

CHAPTER 9

AGRICULTURAL RESEARCH, ETC. (PENSIONS) ACT, 1961

An Act to provide for contributory pension schemes in respect of persons employed at certain agricultural institutions and colleges financed wholly or partly out of public funds. [2nd March, 1961.]

CHAPTER 10

OVERSEAS SERVICE ACT, 1961

An Act to authorise the Secretary of State to contribute to the expenses incurred in connection with the employment of persons in the public services of overseas territories or in respect of compensation paid to persons who are or have been employed in those services. [2nd March, 1961.]

CHAPTER 11

DIPLOMATIC IMMUNITIES (CONFERENCES WITH COMMONWEALTH COUNTRIES AND REPUBLIC OF IRELAND) ACT, 1961

An Act to provide for conferring certain immunities on representatives of Governments of Commonwealth countries and the Republic of Ireland attending conferences in the United Kingdom and on their staffs. [2nd March, 1961.]

CHAPTER 12

CONSOLIDATED FUND (No. 2) ACT, 1961

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and sixty, one thousand nine hundred and sixty-one and one thousand nine hundred and sixty-two. [28th March, 1961.]

CHAPTER 13

NATIONAL HEALTH SERVICE CONTRIBUTIONS ACT, 1961

An Act to increase the rates of national health service contributions and to amend the National Health Service Contributions Act, 1957, and for purposes connected therewith. [28th March, 1961.]

CHAPTER 14

NURSES (AMENDMENT) ACT, 1961

An Act to amend the law relating to nurses for the sick. [28th March, 1961.]

CHAPTER 15

POST OFFICE ACT, 1961

An Act to reorganise the financial arrangements of the Post Office; to amend the Post Office Act, 1953, and the Stamp Duties Management, Act, 1891; and for purposes connected with the matters aforesaid. [28th March, 1961.]

CHAPTER 16

SIERRA LEONE INDEPENDENCE ACT, 1961

An Act to make provision for, and in connection with, the attainment by Sierra Leone of fully responsible status within the Commonwealth. [28th March, 1961.]

CHAPTER 17

BETTING LEVY ACT, 1961

An Act to provide for contributions for purposes connected with the advancement of horse racing from persons engaged by way of business in effecting betting transactions on horse races; and for connected purposes. [28th March, 1961.]

CHAPTER 18

WHITE FISH AND HERRING INDUSTRIES ACT, 1961

An Act to make further provision for financial assistance for the white fish and herring industries (including advances to the White Fish Authority). [9th May, 1961.]

CHAPTER 19

NATIONAL HEALTH SERVICE ACT, 1961

An Act to make further provision with respect to charges for the provision of dental and optical appliances and dental services under the National Health Service. [9th May, 1961.]

CHAPTER 20

HOME SAFETY ACT, 1961

An Act to enable certain local authorities in England and Wales to promote safety in the home and to make contributions to voluntary organisations whose activities consist of or include the promotion of safety in the home. [18th May, 1961.]

CHAPTER 21

OATHS ACT, 1961

An Act to amend the law as to oaths. [18th May, 1961.]

CHAPTER 22

RESTRICTION OF OFFENSIVE WEAPONS ACT, 1961

An Act to amend the law in relation to the exposure and possession for the purpose of sale or hire, and to the importation, of flick knives and other dangerous weapons. [18th May, 1961.]

CHAPTER 23

REPUBLIC OF SOUTH AFRICA (TEMPORARY PROVISIONS) ACT, 1961

An Act to make temporary provision as to the operation of the law upon the Union of South Africa becoming a Republic outside the Commonwealth. [18th May, 1961.]

CHAPTER 24

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An Act to amend the law relating to private street works in England and Wales. [18th May, 1961.]

CHAPTER 25

PATENTS AND DESIGNS (RENEWALS, EXTENSIONS AND FEES) ACT, 1961

An Act to extend to six months the period of grace for the payment of renewal fees for patents and payment of fees for the extension of the period of copyright in registered designs, to provide a like period of grace for the making of applications for such extension, to validate certain extensions of the said period of copyright, and to provide for amending provisions of the Patents Act, 1949, relating to fees. [22nd June, 1961.]

CHAPTER 26

HYDE PARK (UNDERGROUND PARKING) ACT, 1961

An Act to enable the Minister of Transport to secure the provision of parking facilities under Hyde Park; and for purposes connected therewith. [22nd June, 1961.]

CHAPTER 27

CARRIAGE BY AIR ACT, 1961

An Act to give effect to the Convention concerning international carriage by air known as "the Warsaw Convention as amended at The Hague, 1955," to enable the rules contained in that Convention to be applied, with or without modification, in other cases and, in particular, to non-international carriage by air; and for connected purposes. [22nd June, 1961.]

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An Act to amend section two of the Rural Water Supplies and Sewerage Act, 1944. [22nd June, 1961.]



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[22nd June, 1961.]

CHAPTER 31**PRINTER'S IMPRINT ACT, 1961**

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[22nd June, 1961.]

CHAPTER 33**LAND COMPENSATION ACT, 1961**

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[22nd June, 1961.]

CHAPTER 34**FACTORIES ACT, 1961**

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[22nd June, 1961.]

CHAPTER 35**POLICE PENSIONS ACT, 1961**

An Act to provide for the consolidation, with or without changes authorised by the Police Pensions Act, 1948, of regulations under section one of that Act; and to make further provision for the application of the regulations in relation to special constables.

[22nd June, 1961.]

The Solicitors' Journal

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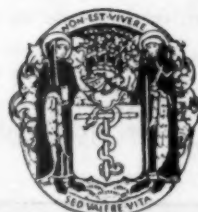
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Excess profits tax: electricity companies' undertaking vested in board: undischarged liability for excess profits tax: deferred repairs executed by board: whether expenses deductible [North of Scotland Hydro-Electric Board v. Inland Revenue Commissioners (H.L.)], 706.
Income tax: "adventure in the nature of trade": sales of stills by taxpayer to companies under his control: jurisdiction of court to reject Commissioners' finding of fact [Jenkinson (Inspector of Taxes) v. Freedland (C.A.)], 609.
Income tax: employment: living accommodation provided: employee required to live in house provided by employers: provision by employers of coal, electricity and services of gardener: whether expense "incurred in or in connection with the provision of living accommodation" [Butter (Inspector of Taxes) v. Bennett (Ch. D.)], 1126.
Income tax: expenses: bank manager: club subscriptions: whether "wholly, exclusively and necessarily" laid out in performance of duties [Brown v. Bullock (Inspector of Taxes) (C.A.)], 587.
Income tax: expenses: flat: export sales supervisor employed by company: provision of flat by company: rent of flat: whether emolument: whether "wholly, exclusively and necessarily" laid out in performance of duties [McKie (Inspector of Taxes) v. Warner (Ch. D.)], 631.
Income tax: expenses: medical specialists: part-time appointments under Sched. E: one profession: whether all professional expenses deductible under Sched. D [Mitchell (Inspector of Taxes) v. Ross; Same v. Hirstenstein; Same v. Marshall; Taylor-Gooby (Inspector of Taxes) v. Tarnesby; Same v. Drew (H.L.)], 608.
Income tax: share-dealing transactions: trading loss claim for rebate on paper transactions [Johnson v. Jewitt (Inspector of Taxes) (C.A.)], 987.
Profits tax: business changed: accounting period: trading company changed to investment company: no dealing in investments for three months: distribution made in interval: date from which investment business "carried on": "last chargeable accounting period": whether distribution made in chargeable accounting period [E.Y.L. Trading Co., Ltd. v. Inland Revenue Commissioners (Ch. D.)], 1125.



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Revenue (continued):

- Profits tax: distribution charge: company reconstruction: election under Finance Act, 1947, s. 36 (4): transferor company becoming holding company: assets exceeding paid-up capital on subsequent winding up: whether distribution charge on transferor company competent [Inland Revenue Commissioners v. J. B. Hodge & Co. (Glasgow), Ltd. (H.L.)], 681.
- Purchase Tax Regulations, 1945, reg. 12, *ultra vires*: sum assessed deemed to be sum due: signature of demand by assistant secretary [Commissioners of Customs and Excise v. Cure & Deely, Ltd. (Q.B.D.)], 708.
- Stamp duty: conveyance or transfer on sale: exchange or conveyance on sale: deed entitled "deed of exchange": whether lease is a "conveyance" [Littlewoods Mail Order Stores, Ltd. v. Inland Revenue Commissioners (C.A.)], 682.
- Stamp duty: conveyance or transfer on sale: transfer of stock on conditional offer: acquisition of dissenting shareholder's stock: whether transfers on sale [Ridge Nominees, Ltd. v. Inland Revenue Commissioners (C.A.)], 967.
- Stamp duty: security: contract for sale: supplemental guarantee by bank: contract not a primary document: whether guarantee "primary security" [Henry Ansbacher & Co. v. Inland Revenue Commissioners (C.A.)], 609.
- Surtax: company: subsidiary company: sale of shares three days before end of accounting period: shares sold to two companies: direction that company's income be treated as original members' income: apportionment of income on time basis [C.H. Co. (Huddersfield), Ltd. v. Inland Revenue Commissioners; Spencer v. Same; Garside v. Same (Ch. D.)], 912.

Road traffic:

- Dangerous driving: driving in excess of speed limit: whether automatically dangerous [Tribe v. Jones (Q.B.D.)], 931.
- Duty to give information as to identity of driver: driver alleged to be guilty of parking offence refusing to identify herself: "any other person" under duty by Road Traffic Act, 1960, s. 232 (2) (b), includes driver [Bingham v. Bruce (Q.B.D.)], 1086.
- Goods vehicle: application for "A" licence: contract "A" licence-holders' desire to enter into trunking system: application for "A" licence supported by customer: view of licensing authority that not in customer's best interests: whether a ground for refusing licence [Arnold Transport (Rochester), Ltd. v. British Transport Commission (C.A.)], 1104.
- Licence: driving under age: "heavy motor car": articulated vehicle: tractive unit and trailer: whether one complete vehicle [Moscrop and Wills v. Blair (Q.B.D.)], 950.
- Licence: goods vehicle: application for "A" licence: switch of "C" licence vehicles from private company to subsidiary: desire to increase carrying capacity for return loads: undertaking to carry only goods of parent company on outward journey [Merchandise Transport, Ltd. v. British Transport Commission (C.A.)], 1104.
- Negligence: car passengers' liability: joyride by youths in car: driver agent of passengers: joint and several liability of passengers for negligent driving [Scarsbrook v. Mason (Q.B.D.)], 889.
- Negligence: collision: driving in thick fog: accidental deviation from own side of road [Dickens v. Kay-Green (C.A.)], 949.
- Notice of intended prosecution: service: driver in hospital: notice sent to driver's home address and taken in by his wife [Hosier v. Goodall (Q.B.D.)], 1085.
- Parking: unnecessary obstruction: five cars parked by garage company in street designated as parking place [W. R. Anderson (Motors), Ltd. v. Hargreaves (Q.B.D.)], 1127.

Road traffic (continued):

Parking (London): restricted street: car left outside home for five minutes [Clifford-Turner v. Waterman (Q.B.D.)], 932.

Sale of goods:

C.i.f.: implied term: fitness for purpose: merchantable quality: failure to prove that potatoes not fit to travel when loaded [Mash & Murrell, Ltd. v. Joseph I. Emanuel, Ltd. (C.A.)], 1007.

Exemption clause: description, sale by: goods not corresponding to description and sample: breach going to root of contract: seller not protected by exemption clause [Boshali v. Allied Commercial Exporters, Ltd. (P.C.)], 987.

Settled land:

Tenant for life: powers: leasing, statutory powers of: executory agreement to grant leases comprising settled and non-settled land: whether within powers [*In re Rycroft's Settlements*; Rycroft v. Rycroft (Ch. D.)], 649.

Settlement:

Construction: children: "male issue": "male descendants": meaning [*In re Du Cros' Settlement Trusts*; Du Cros Family Trustee Co., Ltd. v. Du Cros (Ch. D.)], 630.

Shipping:

Bill of lading: receipt, as: short delivery: bill of lading prima facie evidence of receipt of goods by carrier: rebuttal [A-G. of Ceylon v. Scindia Steam Navigation Co., Ltd., India (P.C.)], 865.

Limitation of liability: wreck raising: wreck-raising expenses payable by sunken vessel to harbour authority: whether "damage to" vessel includes more than physical damage: whether "loss or damage . . . to property or rights": right of vessel at fault to limit liability for damages in respect of expenses [*The Arabert* (P.D.A.)], 684.

London Lighterage Clause: seaworthiness: exemption from liability for loss or damage due to unseaworthiness: proviso that unseaworthy barge not "recklessly" supplied: barge hired by suppliers from reputable owners [Shawinningan, Ltd. v. Vokins Co., Ltd. (Q.B.D.)], 588.

Solicitor:

Negligence: annuity purchased for elderly sick client: death of client from inoperable cancer: action for damages by her administrator [Dunn v. Fairs, Blissard, Barnes & Stowe (Q.B.D.)], 932.

Preparation of case: evidence: sufficient evidence on material issue: fresh evidence required to contradict witness for other side: whether duty to make further inquiries before trial: whether solicitor acted with reasonable diligence [Crook v. Derbyshire (C.A.)], 866.

Town and country planning:

Building preservation order: "special architectural or historic interest": houses forming part of square: relevance of surroundings [Iveagh v. Minister of Housing and Local Government (Q.B.D.)], 724.

Certificate of appropriate alternative development: confirmation by Minister: Minister's reasons differing from those contained in certificate: whether applicant's interest prejudiced [Parrish v. Minister of Housing and Local Government (Q.B.D.)], 708.

Development: material change of use: site used for smelting scrap metal: proposed use for reception and sorting of scrap metal: appeal from Minister's decision that planning permission necessary [George Cohen 600 Group, Ltd. v. Minister of Housing and Local Government (Q.B.D.)], 611.

Planning permission: delay by planning authority: enforcement notice to discontinue use: application for planning

Town and country planning (continued):

permission after service of notice: notice of refusal of planning permission not served until two years later: whether valid [Edwick v. Sunbury-on-Thames Urban District Council (Q.B.D.)], 724.

Purchase notice: notice to corporation to purchase house on ground that it was within area of "land allocated by a development plan for the purposes of any functions" of a local authority: area reserved under development plan for residential redevelopment: Lands Tribunal's "finding" that in practice corporation must exercise statutory powers over whole area [Bolton Corporation v. Owen (C.A.)], 1105.

Trade union:

Expulsion: right of action: charges and conviction of offences against specified union rules: no charge in respect of rule under which expulsion ordered [Annunthod v. Oilfield Workers' Trade Union (P.C.)], 706.

Trusts:

Variation: Act of 1958: investment powers: application to extend: effect of Trustee Investments Act, 1961: whether special circumstances [*In re Cooper's Settlement*; Cooper v. Cooper (Ch. D.)], 887.

Variation: Act of 1958: investment powers: application to extend: effect of Trustee Investments Act, 1961: whether special circumstances [*In re Porritt's Will Trusts* (Ch. D.)], 931.

Variation: Act of 1958: investment powers: application to extend: effect of Trustee Investments Act, 1961: whether special circumstances: meaning of "blue chip" [*In re Kolb's Will Trusts*; Lloyds Bank, Ltd. v. Ullman (Ch. D.)], 888.

Variation: Act of 1958: investment powers: trust imposing quantitative limitation and dividend history requirement: application for abolition: power to invest whole fund in equities: substitution of Trustee Investments Act, 1961, limitations *qua* equities [*In re Clarke's Will Trusts* (Ch. D.)], 1085.

Undue influence:

Fiduciary relationship: engaged couple: deed benefiting male fiancé: significance not explained: whether presumption of undue influence: onus of proof [Zamet v. Hyman (C.A.)], 911.

Vendor and purchaser:

Contract: memorandum: description of parties: signature: receipt for deposit signed by estate agents without naming vendor: whether sufficient memorandum [Davies v. Sweet (C.A.)], 1083.

West Africa:

Gold Coast: land, vacant: possession, proof of: intention to retain: active steps in relation to land unnecessary: trespass [Wuta-Ofei v. Danquah (P.C.)], 806.

Will:

Codicil: reference to prior unexecuted will: power of court to alter codicil [*In re Montgomerie* (P.D.A.)], 709.

Construction: date of vesting: direction to realise and divide residue: gift of share to "any national appeal which may exist . . . when the residue of my estate is realised": no power to postpone realisation: whether gift void for perpetuity [*In re Petrie* (C.A.)], 966.

Execution: attesting witnesses untraced: proof of due execution [In the Estate of Lemon; Winwood v. Lemon (P.D.A.)], 1107.

Signature: acknowledgment: signature by testator before arrival of witnesses: body of will and part of signature concealed by sheet of paper: whether sufficient acknowledgment of signature [In the Estate of Glass; Hosking v. Hutchings (P.D.A.)], 612.

STATUTES

ENACTED IN PARLIAMENT, 1961 (JULY TO DECEMBER)

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CHAPTER 36

FINANCE ACT, 1961

An Act to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance.
[19th July, 1961.]

CHAPTER 37

SMALL ESTATES (REPRESENTATION) ACT, 1961

An Act to amend the law relating to applications for grants of representation in the case of small estates.
[19th July, 1961.]

CHAPTER 38

COURT OF CHANCERY OF LANCASTER (AMENDMENT) ACT, 1961

An Act to amend the Court of Chancery of Lancaster Act, 1952.
[19th July, 1961.]

CHAPTER 39

CRIMINAL JUSTICE ACT, 1961

An Act to amend the law with respect to the powers of courts in respect of young offenders; to make further provision as to the treatment of prisoners and other persons committed to custody, including provision for their supervision after discharge, and the management of prisons, approved schools and other institutions; to re-enact with modifications and additions certain statutory provisions relating to the removal, return and supervision of prisoners within the British Islands; and for purposes connected with the matters aforesaid.
[19th July, 1961.]

CHAPTER 40

CONSUMER PROTECTION ACT, 1961

An Act to make provision for the protection of consumers.
[19th July, 1961.]

CHAPTER 41

FLOOD PREVENTION (SCOTLAND) ACT, 1961

An Act to enable the councils of counties and burghs in Scotland to take measures for the prevention or mitigation of flooding of non-agricultural land in their areas; and for purposes connected with the matter aforesaid.
[19th July, 1961.]

CHAPTER 42

SHERIFFS' PENSIONS (SCOTLAND) ACT, 1961

An Act to amend the law with respect to the pensions attributable to the office of sheriff and salaried sheriff-substitute, to regulate the age of retirement from such offices, and to regulate the time at which payment may be made of those pensions and of the salaries attaching to the said offices.
[19th July, 1961.]

CHAPTER 43

PUBLIC AUTHORITIES (ALLOWANCES) ACT, 1961

An Act to provide for the amendment of the conditions giving entitlement to payment of certain allowances to members of bodies to which Part VI of the Local Government Act, 1948, applies, and to members of certain bodies constituted under the National Health Service Act, 1946, and the National Health Service (Scotland) Act, 1947, and to payment of travelling allowances to justices of the peace and members of probation and other committees constituted under the Criminal Justice Act, 1948; and for matters connected therewith.
[19th July, 1961.]

CHAPTER 44

BARRISTERS (QUALIFICATION FOR OFFICE) ACT, 1961

An Act to make provision with respect to the qualification for office of barristers who have been solicitors, and for purposes connected therewith.
[19th July, 1961.]

CHAPTER 45

RATING AND VALUATION ACT, 1961

An Act to amend the law with respect to the valuation of property for the purposes of rates and with respect to the making and collection of rates.
[27th July, 1961.]

CHAPTER 46

COMPANIES (FLOATING CHARGES) (SCOTLAND) ACT, 1961

An Act to amend the law of Scotland so as to empower companies to give security by way of floating charges; and for purposes connected therewith.
[27th July, 1961.]

CHAPTER 47

MOCK AUCTIONS ACT, 1961

An Act to prohibit certain practices in relation to sales purporting to be sales by auction.
[27th July, 1961.]

CHAPTER 48

LAND DRAINAGE ACT, 1961

An Act to enable river boards and catchment boards to raise drainage charges for the purpose of meeting part of their expenses; and to make further provision relating to the drainage of land and to drainage boards.
[27th July, 1961.]

CHAPTER 49

COVENT GARDEN MARKET ACT, 1961

An Act to establish a Covent Garden Market Authority and vest in them lands in the parish of Saint Paul, Covent Garden, and chattels the property of Covent Garden Market Limited; to make provision for the conduct in, and adjacent to, Covent Garden, under the control of the Covent Garden Market Authority, of activities relating to the dealing in bulk in horticultural produce; and to make provision with respect to matters arising out of the matters aforesaid.
[27th July, 1961.]



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CHAPTER 50

RIVERS (PREVENTION OF POLLUTION) ACT, 1961

An Act to make further provision for maintaining or restoring the wholesomeness of the rivers and other inland or coastal waters of England and Wales. [27th July, 1961.]

CHAPTER 51

POLICE FEDERATION ACT, 1961

An Act to amend the law relating to the Police Federation. [27th July, 1961.]

CHAPTER 52

ARMY AND AIR FORCE ACT, 1961

An Act to continue, and amend, the Army Act, 1955, and the Air Force Act, 1955; to amend the Courts-Martial (Appeals) Act, 1951; to validate the employment of British protected persons in certain military and air forces; and for purposes connected with the matters aforesaid. [27th July, 1961.]

CHAPTER 53

NORTH ATLANTIC SHIPPING ACT, 1961

An Act to enable the Minister of Transport to make advances to Cunard White Star Limited in connection with the construction of a large vessel for the North Atlantic shipping trade, and to enter into agreements with them concerning insurance risks connected with such a vessel. [27th July, 1961.]

CHAPTER 54

HUMAN TISSUE ACT, 1961

An Act to make provision with respect to the use of parts of bodies of deceased persons for therapeutic purposes and purposes of medical education and research and with respect to the circumstances in which post-mortem examinations may be carried out; and to permit the cremation of bodies removed for anatomical examination. [27th July, 1961.]

CHAPTER 55

CROWN ESTATE ACT, 1961

An Act to make new provision in place of the Crown Lands Acts, 1829 to 1936, as to the powers exercisable by the Crown Estate Commissioners for the management of the Crown Estate, to transfer to the management of the Minister of Works certain land of the Crown Estate in Regent's Park, and extend or clarify the powers of that Minister in Regent's Park, to amend the Forestry (Transfer of Woods) Act, 1923, as it affects the Crown Estate, to amend the law as to escheated land, and for purposes connected therewith. [27th July, 1961.]

CHAPTER 56

CREDIT-SALE AGREEMENTS (SCOTLAND) ACT, 1961

An Act to extend to Scotland sections one and three of the Hire-Purchase Act, 1938. [27th July, 1961.]

CHAPTER 57

TRUSTS (SCOTLAND) ACT, 1961

An Act to amend the law of Scotland relating to trusts. [27th July, 1961.]

CHAPTER 58

CROFTERS (SCOTLAND) ACT, 1961

An Act to make fresh provision with respect to the reorganisation, development and regulation of crofting in the crofting counties of Scotland; to authorise the making of grants and loans for the development of agricultural production on crofts and on holdings comparable in value and extent to crofts; and for purposes connected with the matters aforesaid. [27th July, 1961.]

CHAPTER 1

TANGANYIKA INDEPENDENCE ACT, 1961

An Act to make provision for, and in connection with, the attainment by Tanganyika of fully responsible status within the Commonwealth. [22nd November, 1961.]

CHAPTER 2

SOUTHERN RHODESIA (CONSTITUTION) ACT, 1961

An Act to provide for the grant of a new constitution for Southern Rhodesia. [22nd November, 1961.]

CHAPTER 3

EXPORT GUARANTEES ACT, 1961

An Act to increase the limit imposed by section two of the Export Guarantees Act, 1949, as amended by any subsequent enactment, on the liabilities which may be undertaken by the Board of Trade in respect of guarantees under that section and certain other transactions under the Export Guarantees Acts, 1949 to 1959. [20th December, 1961.]

CHAPTER 4

EXPIRING LAWS CONTINUANCE ACT, 1961

An Act to continue certain expiring laws. [20th December, 1961.]

CHAPTER 59

APPROPRIATION ACT, 1961

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and sixty-two, and to appropriate the supplies granted in this Session of Parliament. [3rd August, 1961.]

CHAPTER 60

SUICIDE ACT, 1961

An Act to amend the law of England and Wales relating to suicide, and for purposes connected therewith. [3rd August, 1961.]

CHAPTER 61

LICENSING ACT, 1961

An Act to amend the Licensing Act, 1953, to make further provision about the sale and supply of intoxicating liquor and about licensed premises, and for purposes connected therewith. [3rd August, 1961.]

CHAPTER 62

TRUSTEE INVESTMENTS ACT, 1961

An Act to make fresh provision with respect to investment by trustees and persons having the investment powers of trustees, and by local authorities, and for purposes connected therewith. [3rd August, 1961.]

CHAPTER 63

HIGHWAYS (MISCELLANEOUS PROVISIONS) ACT, 1961

An Act to make certain amendments to the law relating to highways, streets and bridges in England and Wales. [3rd August, 1961.]

CHAPTER 64

PUBLIC HEALTH ACT, 1961

An Act to amend the provisions of the Public Health Act, 1936, relating to building byelaws, to make such amendments of the law relating to public health and the functions of county councils and other local authorities as are commonly made in local Acts, to amend the law relating to trade effluents and to amend section two hundred and forty-nine of the said Act of 1936. [3rd August, 1961.]

CHAPTER 65

HOUSING ACT, 1961

An Act to make further arrangements for the giving of financial assistance for the provision of housing accommodation, to confer further powers on local authorities as regards houses let in lodgings or occupied by more than one family, and houses or other buildings affected by clearance orders and demolition orders, to amend section five of the Rent Act, 1957, by allowing a greater increase in the permitted rent for improvements, to alter the circumstances in which improvement grants and standard grants may be made under Part II of the Housing (Financial Provisions) Act, 1958, and the Housing and House Purchase Act, 1959, to amend the law with respect to repairing obligations in short tenancies of dwelling-houses, and to amend the Town Development Act, 1952, as regards development carried out wholly or partly in a county borough and as regards the assistance which may be given by a county council for town development; and for purposes connected with any of those matters. [24th October, 1961.]

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CHAPTER 5

COAL INDUSTRY ACT, 1961

An Act to make provision until the end of the year nineteen hundred and sixty-two for financing any accumulated revenue deficit of the National Coal Board. [20th December, 1961.]

CHAPTER 6

FAMILY ALLOWANCES AND NATIONAL INSURANCE ACT, 1961

An Act to improve and extend the allowances payable out of the Industrial Injuries Fund in respect of injury or disease arising out of pre-1948 employment; to amend the National Insurance (Industrial Injuries) Acts, 1946 to 1960, and the National Insurance Acts, 1946 to 1960, as regards the circumstances giving a right to or affecting the continuance or rate of certain benefits, as regards the references in certain provisions relating to contributions to an income not exceeding one hundred and fifty-six pounds a year or to remuneration not exceeding sixty shillings a week, and as regards matters connected with the administration of the Acts and the making and operation of orders and regulations thereunder; to make further provision as to sums wrongly paid by way of benefit under those Acts or by way of family allowance; to alter the meaning in those Acts and the Family Allowances Acts, 1945 to 1959, of the word "child"; to provide for certain expenses of the Minister of Pensions and National Insurance; and for purposes connected therewith. [20th December, 1961.]

